

MAYOR AND COUNCIL - REGULAR MEETING

ADMINISTRATIVE ACTION REPORT AND SUMMARY DECEMBER 16, 2002

FROM: CITY MANAGER



1. ROLL CALL: 2:06 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Shirley Scott, Council Members Jose J. Ibarra, Kathleen Dunbar, Steve Leal, and Fred Ronstadt, Kathleen S. Detrick, City Clerk

ABSENT/EXCUSED: Council Member Carol West

STAFF MEMBERS: James Keene, City Manager
Mike Letcher, Deputy City Manager
Michael House, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend David Wilkinson, St. Francis in the Foothills United Methodist Church after which the Pledge of Allegiance was presented by the entire assembly.

PRESENTATIONS:

- a. Presentation of a Certificate of Appreciation to Marilyn "Corkey" Ronstadt for service to the Central Arizona Water Conservation District Board of Directors.

| AGENDA ITEM/MAYOR AND COUNCIL ACTION | STAFF ACTION |
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| <p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – DEC16-02-771</p> <ol style="list-style-type: none">a. Vice-Mayor Scott announced that there is a Budget Townhall tomorrow, December 17, 2002, 7:00 – 8:30 p.m. at the Clements Center. Mayor Walkup and James Keene will be the speakers.b. Council Member Ronstadt acknowledged the work of his cousin Corkey Ronstadt, thanked the community for support of Ward 6's Toys for Tots collections, and encouraged continued support of the Community Food Bank. | |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS
DEC16-02-772

City Manager, James Keene:

- a. Introduced Rich Singer the incoming Director of the Tucson Convention Center; and
- b. James Glock, the Women in Transportation’s “Outstanding Person of the Year”;
- c. Announced December 20, 2002 will be the final date to contribute toys for Sun Tran’s Stuff A Bus.

5. CALL TO THE AUDIENCE

- a. Luann Preble addressed the Mayor and Council in support of clemency for Rex Waite.
- b. William Preble addressed the Mayor and Council in support of clemency for Rex Waite.
- c. Bill Katzel addressed the Mayor and Council in support of a regional park at the current Christopher Columbus Park.
- d. Richard Cook addressed the Mayor and Council with concerns regarding the budget crisis.
- e. Elezabeth Cameron urged the Mayor and Council to repeal the \$75 dog license fee.

6. C O N S E N T A G E N D A

*****ITEMS “A” AND “G” WERE DELETED FROM THE
CONSENT AGENDA *****

- B. TUCSON CONVENTION CENTER: AMENDMENTS TO
THE RULES AND REGULATIONS RELATING TO
PARKING FACILITIES – DEC16-02-774

RESOLTUION NO. 19458

CONVENTION
CENTER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>C. ASSURANCE AGREEMENT: (S00-023) MONTAGE VISTA PHASE II, LOTS 30 TO 73 AND COMMON AREAS “A”, “B” AND “C” – DEC16-02-776</p> <p>RESOLUTION NO. 19459</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>D. FINAL PLAT: (S00-023) MONTAGE VISTA PHASE II, LOTS 30 TO 73 AND COMMON AREAS “A”, “B” AND “C” DEC16-02-762</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>E. ASSURANCE AGREEMENT: (S02-049) MESQUITE CORPORATE CENTRE CONDOMINIUMS, LOTS 123 TO 125, 216 TO 219 AND COMMON AREA “A” – DEC16-02-766</p> <p>RESOLUTION NO. 19451</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>F. AMENDED FINAL PLAT: (S02-049) MESQUITE CORPORATE CENTRE CONDOMINIUMS LOTS 123 TO 125, 216 TO 219 AND COMMON AREA “A” – DEC16-02-765</p> | <p><u>DIR. OF DEV. SERVICES</u></p> |
| <p>H. FINANCE: WRITE-OFF UNCOLLECTED ACCOUNTS RECEIVABLE – DEC16-02-775</p> <p>RESOLUTION NO. 19456</p> | <p><u>DIR. OF FINANCE</u></p> |
| <p>I. INTERGOVERNMENTAL AGREEMENT: WITH NORTHWEST FIRE DISTRICT RELATING TO THE TUCSON METROPOLITAN MEDICAL RESPONSE SYSTEM – DEC16-02-767</p> <p>RESOLUTION NO. 19454</p> | <p><u>FIRE CHIEF</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>J. GRANT AWARD: ACCEPTANCE OF GRANT FUNDS FOR THE JUVENILE FIRESTOPPER PROGRAM, FROM THE GOVERNOR’S DIVISION OF CHILREN/JUVENILE JUSTICE – DEC16-02-763</p> <p>RESOLUTION NO. 19455</p> | <p><u>FIRE CHIEF</u></p> |
| <p>K. GRANT APPLICATION AND AGREEMENT: WITH THE STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS FOR SOUTHWEST BOOKS OF THE YEAR 2002 PUBLICATION – DEC16-02-768</p> <p>RESOLUTION NO. 19460</p> | <p><u>DIR. OF LIBRARY</u></p> |
| <p>L. GRANT CONTRACT: WITH ARIZONA DEPARTMENT OF COMMERCE, ENERGY OFFICE FOR CONTINUATION OF THE TEACHING ENERGY CONSERVATION PROGRAM – DEC16-02-770</p> <p>RESOLUITON NO. 19453</p> | <p><u>DIR. OF OPERATIONS</u></p> |
| <p>M. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY HEALTH DEPARTMENT AND THE TUCSON POLICE DEPARTMENT FOR THE STATE DOMESTIC PREPAREDNESS PROGRAM – DEC16-02-769</p> <p>RESOLUTION NO. 19457</p> | <p><u>POLICE CHIEF</u></p> |
| <p>N. APPROVAL OF MINUTES: JANUARY 14, 2002 MARCH 18, 2002 MARCH 25, 2002 APRIL 1, 2002 APRIL 8, 2002</p> | <p><u>CITY CLERK</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

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| <p>O. REAL PROPERTY: EXCHANGE OF PROPERTIES WITH STARR PASS RESORT DEVELOPMENTS, L.L.C. – DEC16-02-781</p> <p>ORDINANCE NO. 9799</p> | <p><u>CITY ATTORNEY</u></p> |
| <p>P. MEMORIAL: RELATING TO CLEMENCY IN DOMESTIC VIOLENCE CASES – DEC16-02-783</p> | <p><u>CITY ATTORNEY</u></p> |
| <p>Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Scott that items on the Consent Agenda (Except “A” and “G”) be approved and/or adopted and proper action taken.</p> <p>Motion <u>PASSED</u> by a vote of 6 to 0 (Council Member West absent/excused).</p> | |
| <p>A. TUCSON CODE: AMENDING (CHAPTER 4) RELATING TO ANIMALS AND FOWL; REVISING THE NOTICE AND PROCEDURES FOR TAKING AND DESTROYING DANGEROUS, VICIOUS OR DESTRUCTIVE ANIMALS – DEC16-02-779</p> <p>This item was continued at the request of Council Member Dunbar.</p> | <p><u>CITY ATTORNEY</u> <u>AGENDA COMMITTEE</u></p> |
| <p>G. INDUSTRIAL DEVELOPMENT: ISSUANCE OF INDUSTRIAL DEVELOPMENT AUTHORITY INDEX RATE REVENUE BONDS FOR THE JEFFERSON COMMONS STAR RANCH PROJECT – DEC16-02-761</p> <p>RESOLUTION NO. 19452</p> <p>This item was continued at the request of staff.</p> | <p><u>DIR. OF ECON.</u> <u>DEVELOPMENT</u> <u>AGENDA COMMITTEE</u></p> |

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. LIQUOR LICENSE APPLICATIONS – DEC16-02-760

CITY CLERK

TEXACO STAR MART, CITY # 088-02
GO! GO! MART, CITY # 089-02
DA VINCI ITALIAN RESTAURANT, CITY # 092-02
CHINA – THAI CUISINE, CITY # 093-02
LE DELICE BAKERY & CAFÉ, CITY # 096-02
MARGARITA BAY BAR & RESTAURANT, CITY # 090-02
PIZZA HUT #11, CITY # 095-02
TUCSON SYMPHONY ORCHESTRA, CITY # T088-02
TUCSON SYMPHONY ORCHESTRA, CITY # T089-02
TUCSON SYMPHONY ORCHESTRA, CITY # T090-02
THE TUCSON RODEO COMMITTEE, INC. CITY # T102-02
KNIGHTS OF COLUMBUS; ST. PIUS-X, CITY # T106-02
BRANDING IRON BAR, CITY # EP62-02

Council Member Ibarra MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

(b)(5) MARIO’S MINI MART, CITY # 094-02

Council Member Dunbar MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

(b)(8) PRIME LIQUOR, CITY # 091-02

Council Member Leal MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

7. LIQUOR LICENSE APPLICATIONS – DEC16-02-760 (CONT'D)

(b)(9) SANTE FE BAR & GRILL, CITY # 083-02

Council Member Ibarra MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward this application to the State Liquor Board with no recommendation.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

(b)(2) GO! GO! MART, CITY # 089-02

Council Member Leal MOVED, SECONDED by Council Member Ibarra to reconsider this application.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

Council Member Leal MOVED, SECONDED by Vice-Mayor Scott to direct staff to forward this application to the State Liquor Board with a recommendation for denial.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

8. TUCSON CODE: AMENDING (CHAPTER 28) RELATING TO THE TUCSON PROCUREMENT CODE ACCEPTING THE STATISTICAL FINDINGS FROM THE DISPARITY STUDY UPDATE II – DEC16-02-780

ORDINANCE NO. 9801

Council Member Ronstadt MOVED, SECONDED by Vice-Mayor Scott to pass and adopt Ordinance No. 9801.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

EEO OFFICE
DIR. OF PROCUREMENT

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. ZONING: (C9-02-21) SCHOMAC – BELVEDERE AVENUE, C-1 AND C-2 TO R-2; CITY MANAGER’S REPORT – DEC16-02-777

Council Member Leal MOVED, SECONDED by Vice-Mayor Scott to approve the request for rezoning as recommended by the Zoning Examiner.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF DEV.
SERVICES

10. PUBLIC IMPROVEMENTS: EUCLID AVENUE, BROADWAY BOULEVARD TO SPEEDWAY BOULEVARD DISTRICT SIDEWALK AND LIGHTING IMPROVEMENT – AWARD OF CONTRACT – DEC16-02-764

Council Member Ronstadt MOVED, SECONDED by Council Member Leal to award the construction contract to Mountain Power.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF TRANS

- 11A. BOARDS, COMMISSIONS AND COMMITTEES: APPOINTMENT TO THE CIVIL SERVICE COMMISSION (CONT’D FROM MEETING OF DECEMBER 9, 2002) – DEC16-02-778

RESOLUTION NO. 19450

Council Member Dunbar MOVED, SECONDED by Council Member Ronstadt to pass and adopt Resolution No. 19450 appointing Ann Charles to the Civil Service Commission.

Council Member Leal MOVED, SECONDED by Council Member Ibarra to substitute the motion to pass and adopt Resolution No. 19450 appointing Lydia Kennedy to the Civil Service Commission.

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11A. BOARDS, COMMISSIONS AND COMMITTEES: APPOINTMENT TO THE CIVIL SERVICE COMMISSIN (CONT'D FROM MEETING OF DECEMBER 9, 2002) – DEC16-02-778 (CONT'D)

Council Member Ronstadt withdrew his second on the original motion and offered a second substitute motion / seconded by Vice-Mayor Scott to continue the item until information on Ms Kennedy is received. Vice-Mayor Scott withdrew her second.

Council Member Ibarra offered a second for the primary motion.

The first substitute motion (to appoint Lydia Kennedy) FAILED by a vote of 3 to 3 (Council Members Dunbar, Ronstadt and Mayor Walkup dissenting, Council Member West absent/excused).

The primary motion (to appoint Ann Charles) FAILED by a vote of 3 to 3 (Council Members Ibarra and Leal, Vice-Mayor Scott dissenting, Council Member West absent/excused).

11B. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES – DEC16-02-773

Council Member Dunbar MOVED, SECONDED by Vice-Mayor Scott to:

appoint Wendell H. Niemann, DVM, to the Library Board;

appoint Ron Smith (Parks/Recreation Housing) to the Metropolitan Education Commission; and

reappoint Luella Trotter (Disabled American Veteran's Auxiliary Cactus Unit #2) to the Veterans' Affairs Committee.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

CITY CLERK

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

12. INTERGOVERNMENTAL AGREEMENT: WITH PIMA ANIMAL CONTROL CENTER FOR ANIMAL CONTROL SERVICES – DEC16-02-782

RESOLUTION NO. 19461

Council Member Dunbar MOVED, SECONDED by Vice-Mayor Scott to pass and adopt Resolution No. 19461.

Motion PASSED by a vote of 6 to 0 (Council Member West absent/excused).

DIR. OF BUDGET
AND RESEARCH

13. CALL TO THE AUDIENCE

- a. Mardi Hatfield addressed the Mayor and Council and expressed frustration with loose dogs attacking her service animal.
- b. Elezabeth Cameron addressed the Mayor and Council and asked them to do something about the flooding at “Casa Alegre”.

14. ADJOURNMENT: 3:25 P.M.

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, January 6, 2003, at 2:00 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.